where the offender was the husband, he could not be arrested without a warrant, the offence be made bailable and no prosecution be started without the written sanction of the District Magistrate. No police officer below the status of an Inspector should investigate the case. A milder punishment might also be provided.

In conclusion, the Member said that nothing that would increase the beneficent influence of woman as the guardian angel of Indian homes ought to be withheld from her.

Dewan's reply.—The Member's suggestions will be referred to the Division Peishkars for report.

29. The adoption of means for affording greater advantages to minors under the Mahomedan Law.

Mr. Kochu Hassan Kunju (Member, Nominated) said that the Mahomedans living in Travancore belonged to the sect called the Sunnis. Their grievances related to the guardianship of minor daughters. According to the law obtaining among the Sunnis, the guardianship of a minor daughter vested with the mother or, in the event of the mother's death during the daughter's minority, with the mother's mother till the daughter attained her majority. The law, the Member pointed out, produced the following evils :—

(1) The guardianship of the mother's mother deprived the child of the benefits of education, etc., which it could have obtained at the hands of its father.

(2) The system often gave rise to bad blood between the father and the guardian.

(3) The guardianship of the grandmother resulted in the separation of the child from its father, which invariably produced disastrous consequences to the child. The separation was tantamount to a cruel and unnatural severance of natural affections.

(4) The guardian sometimes contracted marriages for the minor daughters not calculated to their good, and thereby deprived the father of his inherent right to give his daughters in marriage.

The Member quoted from Amir Ali's Mahomedan Law to show that the natural guardianship of children should rest with the father. He therefore requested that a law be passed modifying the existing Sunni law and conferring on the father the guardianship of his minor daughters. He also presented a memorial on the subject, signed by several Mahomedans of Quilon and other places.

Dewan's reply.—Noted.

30. Certain amendments to the Weights and Measures Regulation.

Mr. P. Jacob Kurien (Member, T. I. C., Mavelikara) said that the people were put to much inconvenience and difficulty owing to certain imperfections and ambiguities in the Weights and Measures Regulation. He mentioned the following as some of the defects which required to be remedied :—

Section 5 simply prohibited the *use* of any but the authorised weights and measures. It was nowhere laid down as to what should be done with the old weights and measures, and in the present wording of the Section, it would appear that the mere possession of such weights and measures was not penal. The Member suggested that the destruction of the old weights and measures should be specifically ordered and their possession declared punishable in the same way as the keeping or possession of distilling apparatus &c., was made penal under the Abkari Regulation.

Section 8 gave power to the Wardens to deface or destroy false weights and measures that might be taken to them. The possessor of false weights or measures would not take them to the Wardens if he could at all help it. The section should be modified so as to authorise the Wardens to destroy any false weights or measures found anywhere during their inspection.

Section 10.—The Regulation did not anywhere specify the officers whose duty it was to start prosecutions, collect evidence and bring the offenders to book.

LIBRARY ARCHIVES Kerala Legislative Assembly